

PMH
Fresno, CA

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

TARLTON AND SON, INC.

and

Cases 32-CA-119054
32-CA-126896

ROBERT MUNOZ

ORDER DENYING MOTION¹

The Respondent's motion for reconsideration of the Board's Decision and Order reported at 363 NLRB No. 175 (2016) is denied.² The Respondent has not identified any material error or demonstrated extraordinary circumstances warranting reconsideration under Section 102.48(d)(1) of the Board's Rules and Regulations.³

Dated, Washington, D.C., August 26, 2016.

Mark Gaston Pearce, Chairman

Philip A. Miscimarra, Member

Kent Y. Hirozawa, Member

(SEAL)

NATIONAL LABOR RELATIONS BOARD

¹ The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

² The Charging Party filed a response in opposition to the Respondent's motion for reconsideration. We decline the Charging Party's suggestion that we order the Respondent's attorneys to reimburse the Respondent for any fees incurred in preparing the motion.

³ Member Miscimarra adheres to his dissent in the underlying decision. Nevertheless, he agrees that the Respondent has not presented "extraordinary circumstances" warranting reconsideration of that decision.